

Remarks:

Reconsideration of the application is requested.

Claims 1-17 remain in the application. Claims 1 and 16-17 have been amended. Claim 8 has been withdrawn.

In item 2 on page 2 of the above-mentioned Office action, claims 1-7 and 9-17 have been rejected as being unpatentable over Behmel et al. (German Application Publication DE 43 27 466 A1) in view of Niitsuma et al. under 35 U.S.C. § 103(a).

The rejection has been noted and claims 1, 16, and 17 have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found in Fig. 2 and the corresponding descriptions in the specification. The term "bridge" is mentioned, for example, on page 11, line 17 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1, 16, and 17 call for, inter alia:

at least one bridge-shaped perforating bar straddling a respective one of said perforating cylinders, said at least one bridge-shaped perforating bar adjustably fixed to an axis of said respective one of said perforating cylinders, some of said perforating tools and said perforating strips being accommodated on said at least one perforating bar, others of said perforating tools and

said perforating strips being accommodated directly on said cylinders. (Emphasis added.)

According to the invention of the instant application, there exist perforating tools and perforating strips which are not directly accommodated, fixed, or attached to the perforating cylinder but are disposed on the at least one so-called perforating bar (27, 28). As shown in Fig. 2 of the instant application, there are some perforating tools / strips disposed on the cylinder and some (at least one) disposed on the perforating bar. The perforating bar has the form of a bridge, which straddles the perforating cylinder and is adjustably fixed to the axis of the cylinder (see Figs. 2-3). Fig. 2 also shows that the perforating bars (27, 28) extend above the cap of the cylinders (see dashed lines). Only the perforating tools / strips on the perforating bars are adjustable during the machine operation in the correct position relative to the cross-folds while the perforating tools / strips remain fixed in the azimuthal position.

In contrast, Behmel et al. do not show any perforating bar in the sense of the invention of the instant application but only cylinders with movable segments. The segments of the cylinder in Behmel et al. are not in the form of a bridge straddling the cylinder as can be clearly seen from Fig. 2 of the instant application.

Clearly, Behmel et al. do not show "at least one bridge-shaped perforating bar straddling a respective one of said perforating cylinders, said at least one bridge-shaped perforating bar adjustably fixed to an axis of said respective one of said perforating cylinders, some of said perforating tools and said perforating strips being accommodated on said at least one perforating bar, others of said perforating tools and said perforating strips being accommodated directly on said cylinders", as recited in claims 1, 16, and 17 of the instant application.

Niitsuma et al. do not overcome the deficiencies of Behmel et al.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 16, and 17. Claims 1, 16, and 17 are, therefore, believed to be patentable over the art and since claims 2-7 and 9-15 are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-7 and 9-17 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

  
For Applicants

LAURENCE A. GREENBERG  
REG. NO. 29,308

YHC:cgm

September 2, 2003

Lerner and Greenberg, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480  
Tel: (954) 925-1100  
Fax: (954) 925-1101